

P.O. Box 185
106 West Main St.
Sutton, WV 26601

Phone: (304) 750-2203
Fax: (304) 750-2204



www.coveyengineering.com
gacovey@wvdsi.net

**EXPRESSIONS OF INTEREST FOR
ENGINEERING SERVICES
DEP15610
NORTON HIGHWAY #1 PROJECT
RANDOLPH COUNTY, WEST VIRGINIA**

BUYER: CB-23
REQ#: DEP15610
OPENING DATE: 10/27/2011
OPENING TIME: 1:30 PM

RECEIVED

2011 OCT 24 PM 1:56

WV PURCHASING
DIVISION

ORIGINAL
COPY

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October 21, 2011

To: West Virginia Department of Environmental Protection, AML Section

Re: Request for Proposals for Engineering Services, DEP 15610, Norton Highwall #1 Project
Randolph County, West Virginia

Dear Sir,

G.A. Covey Engineering appreciates the opportunity to submit this proposal for the AML Design Services.

G.A. Covey Engineering was established in 1991 in Sutton, WV by Gary Covey, who has worked in the community doing engineering with Brackenrich and Skidmore of Sutton, Monongahela Power of Gassaway and Oneida Coal Company of Wolf Creek, since 1977.

G.A. Covey Engineering has been involved with the AML program indirectly, as the company has worked with AML contractors on bidding and construction layout, compaction and assisting in design changes in the field and assisting the contractors on critical construction and installation phases of the projects. We have been involved with the mine acid treatment facilities in their placement and construction with the contractors to insure their proper construction along with as built designs and drawings needed at the end of the projects.

We have also worked with various mining companies over the years in permitting, valley and refuse fill design, water studies and analysis, water treatment and daily monitoring, and drinking water replacement in areas of mind subsidence.

We have worked with the Braxton and Gilmer County Commission on various waterline projects and Industrial Development Parks, involved with all phases of engineering design, permitting, construction specifications, contracting and construction monitoring.

Our work with Go-Mart Corporation over the last several years has had us extensively working on all phases of engineering design and construction bidding and inspection throughout West Virginia and Ohio.

Our staff of engineers, surveyors, and quality control technicians and inspectors has a wide range of experience in engineering design and construction. We are very aware of the growing cost of these projects and utilize our recent construction experience on projects throughout the state to keep cost down and best serve the state of WV and the local communities.

We have recently relocated our offices and lab to our building we purchased at 106 West Main St., Sutton, WV. This move will allow us to better serve our customers with room for expansion. Our phone number has changed as well to 304-750-2203.

We look forward to the opportunity to talk with you further about the services and quality of service we can provide for this project.

Sincerely,

A handwritten signature in cursive script that reads "Gary A. Covey".

Gary A. Covey, Owner, RPE

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106 West Main St.
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G/A COVEY ENGINEERING

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G.A. Covey Engineering, PLLC
Gary A. Covey, Owner, RPE
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106 West Main St.
Sutton, WV 26601
Phone: 304-750-2203
Fax: 304-750-2204

CIVIL, ENVIRONMENTAL, & MINING ENGINEERING – CONSTRUCTION & PROPERTY SURVEYING – PLANNING, DESIGN & PERMITTING
WETLANDS DELINEATION – CONCRETE & COMPACTION TESTING – WATER & SEWER LINE DESIGN & PERMITTING
WATER TESTING & TREATMENT – ENVIRONMENTAL SERVICES – OIL FIELD SERVICES



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
DEP15610

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
CHUCK BOWMAN 304-558-2157

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 G.A. Covey Engineering PLLC
 P.O. Box 185
 106 W. Main St.
 Sutton, WV 26601

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF AML&R
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/28/2011				
BID OPENING DATE: 10/27/2011		BID OPENING TIME 01:30PM		

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		906-29		
				DESIGN		
<p>EXPRESSION OF INTEREST</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING EXPRESSIONS OF INTEREST FOR PROFESSIONAL ENGINEERING DESIGN SERVICES AND CONSTRUCTION MONITORING SERVICES AT THE NORTON HIGHWALL #1 PROJECT IN RANDOLPH COUNTY, WEST VIRGINIA PER THE FOLLOWING BID REQUIREMENTS AND ATTACHED SPECIFICATIONS.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THIS CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p>						
***** THIS IS THE END OF RFQ DEP15610 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE 304-750-2203	DATE 10-21-11
TITLE OWNER	FEIN 55-0715654	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).

Revised 9/09

EXPRESSION OF INTEREST

Norton Highwall #1
Requisition DEP15610

Part 1

GENERAL INFORMATION

1.1 Purpose:

The Acquisition and Contract Administration Section of the Purchasing Division "State" is soliciting Expression(s) of Interest (EOI) for the West Virginia Department of Environmental Protection (WVDEP), Office of Abandoned Mine Lands & Reclamation (AML), from qualified firms to provide architectural/engineering services as defined in section two (2) and three (3) and construction monitoring services during the construction phase of the project as defined by the **Scope of Work**. Construction Inspection by the firm will be at the option of WVDEP/AML.

1.2 Project:

The mission or purpose of the project described in sections 2 & 3 is to provide design services for the following:

Norton Highwall #1:

Construct and install sediment and erosion control measures.

Clearing and grubbing of site.

Upgrade 800 feet of access road.

Excavate and drain 17 portals and install 16 wet seals and 1 bat gate mine seal.

Construct drainage channels and underdrains to carry water safely off-site.

Eliminate the highwalls and refuse by backfilling with available spoil, refuse and borrowed soil to establish approximate original contour.

Remove and properly dispose of all trash and waste found on site.

Condition and revegetate all disturbed areas.

1.3 **Format:**

All responses should be submitted in a loose-leaf, three ring binder. The response should be presented in concise format which defines the corporation history and the experience, qualifications, and performance data of the firm's staff as requested by the AML Consultant Qualification Questionnaire (CQQ), Attachment "B" and the AML and Related Project Experience Matrix (RPEM). Attachment "C".

Electronic copies of the above referenced documents Attachment "B" and Attachment "C" are available online for registered vendors at:
<http://www.state.wv.us/admin/purchase/newbul.htm>.

1.4 **Inquiries:**

Additional information inquiries regarding this EOI must be submitted in writing to the State Buyer with the exception of questions regarding proposal submission, which may be oral. The deadline for written inquiries is identified in the Schedule of Events, Section 1.16. All inquiries of specification clarification must be addressed to:

Chuck Bowman, Buyer Supervisor
 Purchasing Division
 P.O. Box 50130
 Charleston, WV 25305-0130
 Fax: (304) 558-4115
 Email: charles.a.bowmanjr@wv.gov

The firm, or anyone on the firm's behalf, is not permitted to make any contact whatsoever with any member of the evaluation committee. Violation may result in rejection of the EOI. The State Buyer named above is the sole contact for any and all inquiries after this EOI has been released.

1.5 **Vendor Registration:**

Firms participating in this process should complete and file a *Vendor Registration and Disclosure Statement* (Form WV-1) and remit the registration fee. Firm is not required to be a registered vendor in order to submit an EOI, but the **successful firm must register and pay the fee prior to the issuance of an actual contract.**

1.6 **Oral Statements and Commitments:**

Firm must clearly understand that any verbal representations made or assumed to be made during any oral discussions held between firm's representatives and any State personnel are **not binding.** Only the

information issued in writing and added to the Expression of Interest specifications file by an official written addendum is binding.

1.7 Economy of Preparation:

EOI's should be prepared simply and economically, providing a straightforward, concise description of firm's abilities to satisfy the requirements of the EOI. Emphasis should be placed on completeness and clarity of content. Example projects referred to in a firm's EOI's submittal should address projects that are similar in scope to that of the EOI. Firms must complete the CQQ and RPEM as included in Section 4.2 of this EOI. (Proposals must be no more than 100 pages).

1.8 Labeling of the Sections: The response sections should be labeled for ease of evaluation.

1.9 Submission:

1.9.1 State law requires that the original expression shall be submitted to the Purchasing Division. All copies to the Purchasing Division must be submitted prior to the date and time stipulated as the opening date. All expressions will be date and time stamped on the Purchasing Division official time clock to verify time and date of receipt.

1.9.2 Firms mailing expressions should allow sufficient time for mail delivery to ensure timely arrival. The Purchasing Division **CANNOT** waive or excuse late receipt of an expression which is delayed and late for any reason according West Virginia State Code §5A-3-11. Any EOI received after the bid opening time and date will be immediately disqualified in accordance with State law and the Legislative Rule 148-CSR-1.

Submit:

One original plus one convenience copy and one copy on CD to:

Purchasing Division
2019 Washington Street, East
P.O. Box 50130
Charleston, WV 25305-0130

The outside of the envelope or package(s) should be clearly marked:

Buyer: CB-23
Req #: DEP15610
Opening Date: 10/27/2011
Opening Time: 1:30 pm

1.10 Rejection of Expressions:

The State shall select the best value solution according to §5G-1-3 of the West Virginia State Code. However, the State reserves the right to accept or reject any or all expressions and to reserve the right to withdraw this Expression of Interest at any time and for any reason. Submission of, or receipt by the State of Expressions confers no rights upon the firm nor obligates the State in any manner.

1.11 Incurring Costs:

The State and any of its employees or officers shall not be held liable for any expenses incurred by any firm responding to this EOI for expenses to prepare, deliver, or to attend the short-list interviews.

1.12 Addenda:

If it becomes necessary to revise any part of this EOI, an official written addendum will be issued by the State to all potential firms of record.

1.13 Independent Price Determination:

A contract will not be considered for award if the negotiated price was not arrived at independently without collusion, consultation, communication, or agreement as to any matter relating to prices with any competitor.

1.14 Price Quotations: No "price" or "fee" quotation is requested or permitted in the response.

1.15 Public Record:

1.15.1 Submissions are Public Record.

All documents submitted to the State Purchasing Division related to purchase orders/contracts are considered public records. All EOI's submitted by firms shall become public information and are available for inspection during normal official business hours in the Purchasing Division Records and Distribution center after the expressions have been opened.

1.15.2 *Written Release of Information.*

All public information may be released with or without a Freedom of Information request, however, only a written request will be acted upon with duplication fees paid in advance. Duplication fees shall apply to all requests for copies of any document. Currently the fees are \$0.50/page, or a minimum of \$10.00 per request, whichever is greater.

1.15.3 *Risk of Disclosure.*

The only exemptions to disclosure of information are listed in West Virginia Code §29B-1-4. Primarily, only trade secrets as submitted by a firm are the only exemption to public disclosure. The submission of any information to the State by a firm puts the risk of disclosure on the firm. The submission of any information to the State by a vendor puts the risk of disclosure on the vendor. The State does not guarantee non-disclosure of any information to the public.

1.16 **Schedule of Events:**

Release of EOI.....	09/29/2011
EOI Opening Date.....	10/27/2011

1.17 **Mandatory Pre-bid Conference:** NA

1.18 **Bond Requirements:** N/A

1.19 **Purchasing Affidavit:**

West Virginia State Code §5A-3-10a (3) (d) requires that all firms submit an Affidavit regarding any debt owed to the State and licensing and confidentiality certifications. The Affidavit **must** be signed and submitted prior to award. It is preferred that the Affidavit be submitted with the EOI.

PART 2 OPERATING ENVIRONMENT

2.1 **Location:**

Directions to Norton Highwall #1 :

From Philippi travel US Rt. 250 south, past Belington and Junior, to US Rt. 33. At the stop light, turn left and travel east on US Rt. 33 for 0.9 mile then turn right onto SR-151 West. Travel 0.3 miles to stop sign. Turn right. Travel 0.2 miles and turn left onto the Coalton - Pumpkintown Road (CR 53). Travel 50 feet and turn left on unmarked, paved road. Drive 0.9 miles to

Scott Cemetery Rd on right. Drive 0.2 miles to cemetery parking and log landing. Highwalls 3-7 are to the north and west. To reach Highwall Sections 1 and 2, continue south for another half mile along CR 5 / 5.

2.2 Background:

Firms are to be licensed Architectural/Engineering Firms (A/E) and should be familiar with, and have a successful track record of design of similar projects. The anticipated contract will be for "full-service" A/E design. Aspects of the design are to include, but not be limited to, Civil, Structural, Geological and Hydrological.

*The successful A/E will be responsible for **Design** of the following:*

The site consists of :

Dangerous Highwall – Three sections of dangerous highwall totaling approx. 2,199 LF.
 $38^{\circ} 55' 31.2''$ $79^{\circ} 57' 10.2''$ and follows contour to $38^{\circ} 55' 26.6''$ $79^{\circ} 57' 10.8''$ (Section 1: 654 LF x 50' H)
 $38^{\circ} 55' 34.8''$ $79^{\circ} 57' 12.7''$ and follows contour to $38^{\circ} 55' 40.4''$ $79^{\circ} 57' 09.3''$ (Section 2: 817 LF x 55' H)
 $38^{\circ} 56' 05.7''$ $79^{\circ} 57' 22.2''$ and follows contour to $38^{\circ} 56' 06.9''$ $79^{\circ} 57' 31.2''$ (Section 3: 728 LF x 40')

Highwall – Four sections of Priority 3 highwall totaling approx. 3,116 LF.
 $38^{\circ} 56' 01.2''$ $79^{\circ} 57' 36.4''$ and follows contour to $38^{\circ} 55' 57.3''$ $79^{\circ} 57' 38.8''$ (Section 4: 614 LF x 25' H)
 $38^{\circ} 55' 52.1''$ $79^{\circ} 57' 34.2''$ and follows contour to $38^{\circ} 55' 46.6''$ $79^{\circ} 57' 29.0''$ (Section 5: 697 LF x 15' H)
 $38^{\circ} 55' 44.6''$ $79^{\circ} 57' 28.8''$ and follows contour to $38^{\circ} 55' 41.7''$ $79^{\circ} 57' 26.9''$ (Section 6: 325 LF x 20' H)
 $38^{\circ} 55' 39.6''$ $79^{\circ} 57' 25.0''$ and follows contour to $38^{\circ} 55' 44.2''$ $79^{\circ} 57' 41.2''$ (Section 7: 1,480 LF x 30' H)

Portals – 6' W x 1.5' H opening into deep mine; dry, venting, within 100' of Scott Rd.
 $38^{\circ} 55' 27.9''$ $79^{\circ} 57' 09.7''$

Vertical Opening – 2' circular opening, venting; fault line from opening extends 17' north. $38^{\circ} 55' 28.1''$ $79^{\circ} 57' 09.8''$

Refuse – Areas of refuse adversely contributing acidity to receiving streams; estimated to total 5 acres.

38° 56' 07.6" 79° 57' 31.8" areas follows bench south to approx. 38° 55' 44.8" 79° 57' 35.1"

Dangerous Impoundment – Surface expressions of 16 suspected, collapsed portals

38° 55' 54.4" 79° 57' 35.5" (begins) includes 7 locations and follows bench to 38° 55' 57.1" 79° 57' 38.6"

38° 55' 57.7" 79° 57' 22.2" (begins) includes 6 locations and follows bench to 38° 55' 55.0" 79° 57' 21.0"

38° 55' 46.6" 79° 57' 29.0" 2 suspected, adjacent draining portals

38° 55' 43.2" 79° 57' 27.8" 1 suspected, AMD draining collapsed portal

Dangerous Impoundment – Pits or depressions allowing for ponding of surface and mine water against acid forming materials. collecting surface or mine drainage

38° 56' 08.5" 79° 57' 31.1" and 38° 55' 42.6" 79° 57' 32.0"

Wet Area – pH as low as 2.6 collectively represent high volume of AMD flowing over acid forming materials

38° 56' 04.1" 79° 57' 31.4"

38° 56' 01.8" 79° 57' 31.9"

38° 56' 02.0" 79° 57' 37.5"

38° 55' 52.1" 79° 57' 33.8"

38° 55' 44.6" 79° 57' 28.7"

38° 55' 43.3" 79° 57' 29.5"

38° 55' 43.4" 79° 57' 31.6"

Dangerous Pile- Low volume of dispersed household waste along benches
Throughout

Preliminary design documents will be due 60 days from the issuance of the Purchase Order.

3.4 General Terms and Conditions:

By signing and submitting the EOI, the successful firm agrees to be bound by all the terms contained in Section Three (3) of this EOI.

3.4.1 *Conflict of Interest:*

Firm affirms that it, its officers or members or employees presently have no interest and shall not acquire any interest, direct or indirect which would conflict or compromise in any manner or degree with the performance or its services hereunder. The firm further covenants that in the performance of the contract, the firm shall periodically inquire of its officers, members and employees concerning such interests. Any such interests discovered shall be promptly presented in detail to the Agency.

3.4.2 *Prohibition Against Gratuities:*

Firm warrants that it has not employed any company or person other than a bona fide employee working solely for the firm or a company regularly employed as its marketing agent to solicit or secure the contract and that it has not paid or agreed to pay any company or person any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award of the contract. For breach or violation of this warranty, the State shall have the right to annul this contract without liability at its discretion, and/or to pursue any other remedies available under this contract or by law.

3.4.3 *Certifications Related to Lobbying:*

Firm certifies that no federal appropriated funds have been paid or will be paid, by or on behalf of the company or an employee thereof, to any person for purposes of influencing or attempting to influence an officer or employee of any Federal entity, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the firm shall complete and submit a disclosure form to report the lobbying.

Firm agrees that this language of certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this contract was made and entered into.

3.4.4 Vendor Relationship:

The relationship of the firm to the State shall be that of an independent contractor and no principal-agent relationship or employer-employee relationship is contemplated or created by the parties to this contract. The firm as an independent contractor is solely liable for the acts and omissions of its employees and agents.

Firm shall be responsible for selecting, supervising and compensating all individuals employed pursuant to the terms of this EOI and resulting contract. Neither the firm nor any employees or contractors of the firm shall be deemed to be employees of the State for any purposes whatsoever.

The Firm shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension or other deferred compensation plans, including but not limited to Workers' Compensation and Social Security obligations, and licensing fees, etc. and the filing of all necessary documents, forms and returns pertinent to all of the foregoing.

The Firm shall hold harmless the State, and shall provide the State and Agency with a defense against all claims including but not limited to the foregoing payments, withholdings, contributions, taxes, social security taxes and employer income tax returns. The firm shall not assign, convey, transfer or delegate any of its responsibilities and obligations under this contract to any person, corporation, partnership, association or entity without expressed written consent of the Agency.

3.4.5 Indemnification:

The firm agrees to indemnify, defend and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person or firm performing or supplying services, materials or supplies in connection with the performance of the contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the firm, its officers, employees, or

subcontractors by the publication, translation, reproduction, delivery, performance, use or disposition of any data used under the contract in a manner not authorized by the contract, or by Federal or State statutes or regulations; (3) Any failure of the firm, its officers, employees or subcontractors to observe State and Federal laws, including but not limited to labor and wage laws.

3.4.6 Contract Provisions:

After the most qualified firm is identified, and fee negotiations are concluded, a formal contract document will be executed between the State and the firm. The order of precedence is the contract, the EOI and the firm's response to the EOI.

3.4.7 Governing Law:

This contract shall be governed by the laws of the State of West Virginia. The firm further agrees to comply with the Civil Rights Act of 1964 and all other applicable laws (Federal, State or Local Government) regulations.

3.4.8 Compliance with Laws and Regulations:

The firm shall procure all necessary permits and licenses to comply with all applicable laws, Federal, State or municipal, along with all regulations, and ordinances of any regulating body.

The firm shall pay any applicable sales, use, or personal property taxes arising out of this contract and the transactions contemplated thereby. Any other taxes levied upon this contract, the transaction, or the equipment, or services delivered pursuant here to shall be borne by the contractor. It is clearly understood that the State of West Virginia is exempt from any taxes regarding performance of the scope of work of this contract.

3.4.9 Subcontracts/Joint Ventures:

The State will consider the firm to be the sole point of contact with regard to all contractual matters. The firm may, with the prior written consent of the State, enter into written subcontracts for performance of work under this contract; however, the firm is totally responsible for payment of all subcontractors.

3.4.10 Term of Contract:

This contract will be effective (date set upon award) and shall extend until

the scope of work is complete or for one (1) consecutive twelve (12) month period. The contract may be renewed upon mutual consent for two (2) consecutive years one (1) year periods or until such reasonable time as may be necessary to obtain a new contract or to complete work.

3.4.11 Non-Appropriation of Funds:

If the Agency is not allotted funds in any succeeding fiscal year for the continued use of the service covered by this contract by the West Virginia Legislature, the Agency may terminate the contract at the end of the affected current fiscal period without further charge or penalty. The Agency shall give the firm written notice of such non-allocation of funds as soon as possible after the Agency receives notice. No penalty shall accrue to the Agency in the event this provision is exercised.

3.4.12 Contract Termination:

The State may terminate any contract resulting from this EOI immediately at any time the firm fails to carry out its responsibilities or to make substantial progress under the terms of this EOI and resulting contract. The State shall provide the firm with advance notice of performance conditions, which are endangering the contract's continuation. If after such notice the firm fails to remedy the conditions contained in the notice, within the time contained in the notice, the State shall issue the firm an order to cease and desist all work immediately.

The State shall be obligated only for services rendered and accepted prior to the date of the notice of termination. The contract may also be terminated upon mutual agreement of the parties with thirty (30) days prior notice.

3.4.13 Changes:

If changes to the original contract become necessary, a formal contract change order will be required. Prior to any work being performed, the change must be negotiated and approved by the State, the Agency and the firm. An approved contract change order is defined as one approved by the Purchasing Division and approved as to form by the West Virginia Attorney General's Office prior to the effective date of such amendment. **NO CHANGE SHALL BE IMPLEMENTED BY THE FIRM UNTIL THE FIRM RECEIVES AN APPROVED WRITTEN CHANGE ORDER.**

3.4.14 Invoices, Progress Payments, & Retainage:

The Firm shall submit invoices, in arrears, to the Agency at the address on the face of the purchase order labeled "Invoice To" pursuant to the terms of the contract. Progress payments may be made at the option of the Agency based on percentage of work completed if so defined in the final contract. Any provision for progress payments must also include language for a minimum 10% retainage until the final deliverable is accepted.

If progress payments are permitted, firm is required to identify points in the work plan at which compensation would be appropriate. Progress reports must be submitted to Agency with the invoice detailing progress completed or any deliverables identified. Payment will be made only upon approval of acceptable progress or deliverables as documented in the firm's report. Invoices may not be submitted more than once monthly and State law forbids payment of invoices prior to receipt of services.

The firm will invoice for completed work on an approved WVDEP form.

3.4.15 Liquidated Damages:

According to West Virginia State Code §5A-3-4(8), firm agrees that liquidated damages shall be imposed at the rate of N/A per workday, for failure to provide deliverables at the agreed upon date identified in the final contract. This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue to any other additional remedy to which the State or Agency may have legal cause for action including further damages against the firm.

3.4.16 Record Retention (Access & Confidentiality):

Firm shall comply with all applicable Federal and State of West Virginia rules and regulations, and requirements governing the maintenance of documentation to verify any cost of services or commodities rendered under this contract by the firm. The firm shall maintain such records a minimum of five (5) years and make available all records to Agency personnel at firm's location during normal business hours upon written request by Agency within 10 days after receipt of the request.

Firm shall have access to private and confidential data maintained by Agency

to the extent required for firm to carry out the duties and responsibilities defined in this contract. Firm agrees to maintain confidentiality and security of the data made available and shall indemnify and hold harmless the State and Agency against any and all claims brought by any party attributed to actions of breach of confidentiality by the firm, subcontractors, or individuals permitted access by the firm.

PART 4 EVALUATION & AWARD

4.1 Evaluation and Award Process:

- a) Expressions of Interest will be evaluated and awarded in accordance with §5G-1-3 "Contracts for architectural and engineering services; selection process where total project costs are estimated to cost two hundred fifty thousand dollars or more."

"In the procurement of architectural and engineering services for projects estimated to cost two hundred and fifty thousand dollars or more the director of purchasing shall encourage such firms engaged in the lawful practice of the profession to submit an expression of interest, which shall include a statement of qualifications, and performance data and may include anticipated concepts and proposed methods of approach to the project. All such jobs shall be announced by public notice published as a Class II legal advertisement in compliance with the provisions of article three [§59-3-1et seq.] A committee comprised of three to five representatives of the agency initiating the request shall evaluate the statements of qualifications and performance data and other material submitted by the interested firms and select three firms which in their opinion are the best qualified to perform the desired service. Interviews with each firm selected shall be conducted and the committee shall conduct discussions regarding anticipated concepts and the proposed methods of approach to the assignment. The committee shall then rank in order of preference no less than three professional firms deemed to be the most highly qualified to provide the services required, and shall commence scope of service and price negotiations with the highest qualified professional firm for architectural or engineering services or both. Should the agency be unable to negotiate a satisfactory contract with the professional firm considered to be the most qualified, at a fee determined to be fair and reasonable, price negotiations with the firm of second choice shall commence. Failing

accord with the second most qualified professional firm, the committee shall undertake price negotiations with the third most qualified professional firm. Should the agency be unable to negotiate a satisfactory contract with any of the selected professional firms, it shall select additional professional firms in order of their competence and qualifications and it shall continue negotiations in accordance with this section until an agreement is reached."

b) The evaluation criteria and assigned point values are as follows:

- | | |
|---|-----------|
| A. WV Registered Professional Engineers (Civil or Mining)
In the Primary Office: | 20 points |
| B. Reclamation Engineering design experience of the Primary Office's WVRPE as it relates to the specific project problem Areas: | 25 points |
| C. Available WV-AML Design Teams within the Primary office (A Design team should consist of one Project Engineer (Civil or Mining), one CAD person and availability of other support personnel a required by the particular project): | 20 points |
| D. The Oral Interview (See Section 4.3 of this EOI): | 35 points |

4.2 (a) AML Consultant Qualification Questionnaire (CQQ) must be completed to be eligible (See Attachment "B").

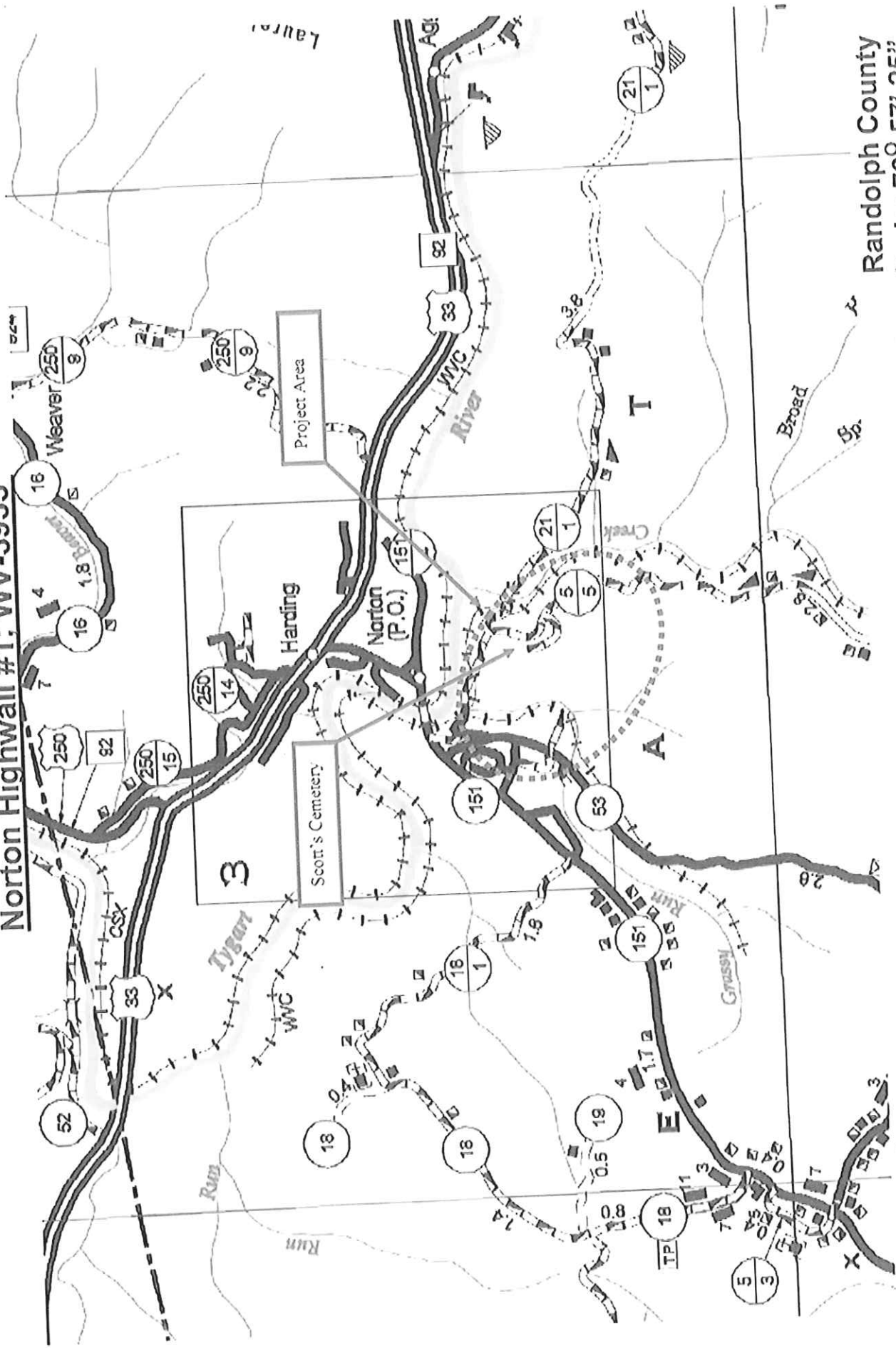
(b) AML and Related Project Experience Matrix (RPEM) must also be completed to be eligible (See Attachment "C").

4.3 Interviews as stated in 4.1 "Evaluation and Award Process" will be conducted with the three firms selected as the most qualified by the WVDEP Selection Committee. The Committee will schedule the interviews.

The format for the interviews will be a 15-30 minute PowerPoint presentation consisting, at a minimum, of the following:

- Corporate/personnel experience as it relates to the project or projects
- Proposed project management plan
- Key personnel available for the proposed work
- Proposed subcontractors (mapping, geotechnical, etc.)
- Product quality control
- Project cost control

Highway Map
Norton Highway #1: WV-3935



Junior Quad
 Latitude: 38° 55' 50"

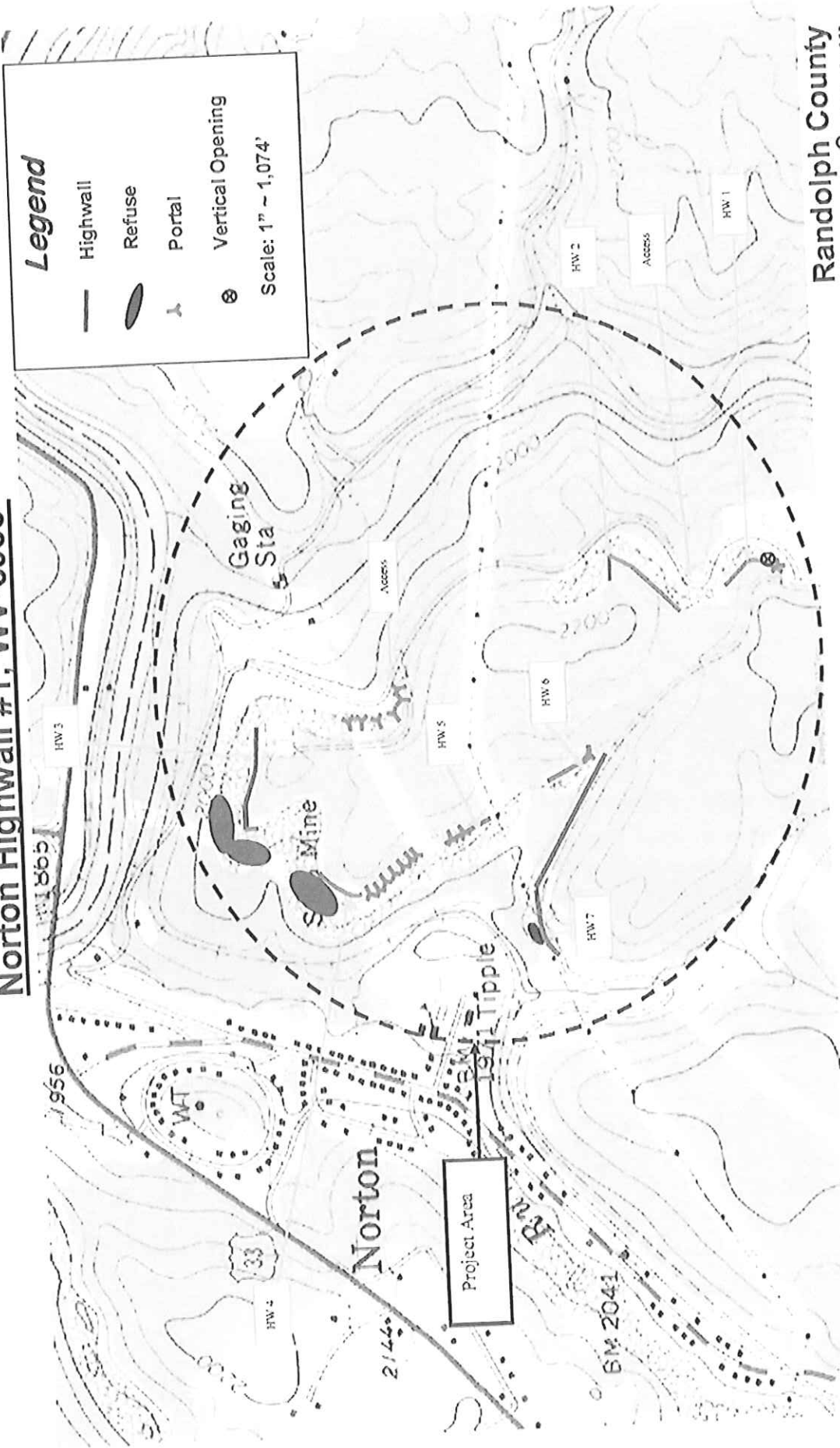
Randolph County
 Longitude: 79° 57' 25"

Project Location Map
Norton Highwall #1; WV-3935

Legend

- Highwall
- Refuse
- ⌵ Portal
- ⊗ Vertical Opening

Scale: 1" ~ 1,074'



Randolph County
 Longitude: 79° 57' 24"

Junior Quad
 Latitude: 38° 56' 02"

RFQ No. DEP15610

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, Limited Liability Company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: B.A. Covey Engineering, PLLC
Authorized Signature: [Signature] Date: 10-21-11

State of West Virginia

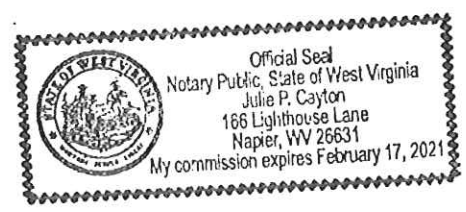
County of Brayton, to-wit:

Taken, subscribed, and sworn to before me this 21st day of October 2011

My Commission expires February 17, 2021

NOTARY PUBLIC [Signature]

AFFIX SEAL HERE



**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AML CONSULTANT QUALIFICATION QUESTIONNAIRE**

Attachment "B"

PROJECT NAME DEPI5610 NORTON HIGHWALL #1 PROJECT RANDOLPH COUNTY, WEST VIRGINIA 1. FIRM NAME G.A. Covey Engineering, PLLC	DATE (DAY, MONTH, YEAR) October 21, 2011	FEIN 55-0715654	3. FORMER FIRM NAME 2. HOME OFFICE BUSINESS ADDRESS 106 West Main St. Sutton, WV 26601 (mailing address: P.O. Box 185, Sutton, WV 26601)																																				
4. HOME OFFICE TELEPHONE 304-750-2203	5. ESTABLISHED (YEAR) 1991	6. TYPE OWNERSHIP Corporation, PLLC																																					
7. PRIMARY AML DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. AML DESIGN PERSONNEL EACH OFFICE G.A. Covey Engineering, PLLC, 106 W. Main St., Sutton, WV 26602/Phone: 304-750-2203/ Gary A. Covey, Owner 3 - design personnel																																							
8. NAMES OF PRINCIPAL OFFICERS OR MEMBERS OF FIRM Gary A. Covey, Owner N/A																																							
9. PERSONNEL BY DISCIPLINE <table style="width:100%; border: none;"> <tr> <td style="width:5%;">1</td> <td style="width:45%;">ADMINISTRATIVE</td> <td style="width:45%;">- LANDSCAPE ARCHITECTS</td> <td style="width:5%;">- STRUCTURAL ENGINEERS</td> </tr> <tr> <td>-</td> <td>ARCHITECTS</td> <td>- MECHANICAL ENGINEERS</td> <td>4 SURVEYORS</td> </tr> <tr> <td>-</td> <td>BIOLOGIST</td> <td>- MINING ENGINEERS</td> <td>- TRAFFIC ENGINEERS</td> </tr> <tr> <td>1</td> <td>CADD OPERATORS</td> <td>- PHOTOGRAMMETRISTS</td> <td>2 OTHER</td> </tr> <tr> <td>-</td> <td>CHEMICAL ENGINEERS</td> <td>- PLANNERS: URBAN/REGIONAL</td> <td></td> </tr> <tr> <td>4</td> <td>CIVIL ENGINEERS</td> <td>- SANITARY ENGINEERS</td> <td></td> </tr> <tr> <td>6</td> <td>CONSTRUCTION INSPECTORS</td> <td>- SOILS ENGINEERS</td> <td>18 TOTAL PERSONNEL</td> </tr> <tr> <td>-</td> <td>DESIGNERS</td> <td>- SPECIFICATION WRITERS</td> <td></td> </tr> <tr> <td>-</td> <td>DRAFTSMEN</td> <td></td> <td></td> </tr> </table>				1	ADMINISTRATIVE	- LANDSCAPE ARCHITECTS	- STRUCTURAL ENGINEERS	-	ARCHITECTS	- MECHANICAL ENGINEERS	4 SURVEYORS	-	BIOLOGIST	- MINING ENGINEERS	- TRAFFIC ENGINEERS	1	CADD OPERATORS	- PHOTOGRAMMETRISTS	2 OTHER	-	CHEMICAL ENGINEERS	- PLANNERS: URBAN/REGIONAL		4	CIVIL ENGINEERS	- SANITARY ENGINEERS		6	CONSTRUCTION INSPECTORS	- SOILS ENGINEERS	18 TOTAL PERSONNEL	-	DESIGNERS	- SPECIFICATION WRITERS		-	DRAFTSMEN		
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-	DESIGNERS	- SPECIFICATION WRITERS																																					
-	DRAFTSMEN																																						
TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: <u>2</u> *RPEs other than Civil and Mining must provide supporting documentation that qualifies them to supervise and perform this type of work.																																							
10. HAS THIS JOINT-VENTURE WORKED TOGETHER BEFORE? X YES <input type="checkbox"/> NO																																							

11. OUTSIDE KEY CONSULTANTS/SUB-CONSULTANTS ANTICIPATED TO BE USED. Attach "AML Consultant Qualification Questionnaire".

NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE
Novel Geo Environmental, PLLC 806 B Street, St. Albans, WV 25177	Geotechnical Engineering and Drilling Firm	_____X_____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE _____ Yes _____ No

12. Are your firm's personnel experienced in Abandonment/Mine Lands Remediation/Mine Reclamation Engineering?

YES Description and Number of Projects: Gary Covey and G.A. Covey Engineering has been involved with mining engineering and reclamation since 1977 with Brackrich and Associates, Oneida Coal, and working and bidding with contractors on various AML and special reclamation projects throughout WV. Since 1991 we have been involved with 30 projects.

NO

B. Are your firm's personnel experienced in Soil Analysis?

YES Description and Number of Projects: G.A. Covey Engineering has a soils gradation lab and performs soil analyses and gradations for WVDOR projects in WV. Number of projects: 120

NO

C. Are your firm's personnel experienced in hydrology and hydraulics?

YES Description and Number of Projects: G.A. Covey Engineering does hydrology and hydraulic designs for almost all major projects it has worked on and is also trained and uses the natural stream design adopted by the state and the Canaan Valley Institute. Number of projects: 110

NO

D. Does your firm produce its own Aerial Photography and Develop Contour Mapping?

YES Description and Number of Projects: _____

NO

E. Are your firm's personnel experienced in domestic waterline design? (Include any experience in evaluation of aquifer degradation as a result of mining.)

YES Description and Number of Projects: G.A. Covey Engineering has designed, bid and inspected various waterline projects for developers and the Flatwoods Canceo Run PDS. As Chief Engineer for Oneida Coal, Gary Covey dealt with aquifer degradation and remediation of domestic wells and water replacement.

NO

F. Are your firm's personnel experienced in Acid Mine Drainage Evaluation and Abatement Design?

YES Description and Number of Projects: G.A. Covey Engineering has been dealing with acid mine drainage and remediation on various AML and coal operations in WV. We have monitored and operated treatment systems for Brooks Run Mining as well as set up treatment and monitoring for Oneida Coal Company since 2001.

NO

RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES

data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.) Covey, Gary A.	YEARS OF AML DESIGN EXPERIENCE: 10 Years	YEARS OF AML RELATED DESIGN EXPERIENCE: 30 Years	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 20 Years
--	--	--	--

Brief Explanation of Responsibilities

Owner and principal Engineer designer for G. A. Covey Engineering. Responsible for Major Design and supervision of all design projects, surveyors, soils lab and construction inspectors.

EDUCATION (Degree, Year, Specialization)

B.S. in Civil Engineering, 1983, with specialization in geotechnical engineering and hydrology. Certified Army Corp of Engineers Wetland Delineation and Management, 2001. Rosgen Stream Design.

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

ASCE, ACEC, WVSPE, WVALS, CAMV and WV Coal Association.

REGISTRATION (Type, Year, State)

WV RPE 10419 - 1988, WV PLS 755 - 1982, OH RPE 68959 - 2004

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.) Frazier, James A.	YEARS OF AML DESIGN EXPERIENCE: 5 Years	YEARS OF AML RELATED DESIGN EXPERIENCE: 10 Years	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 30 Years
---	---	--	--

Brief Explanation of Responsibilities

Engineer designer, project management, and supervision of technicians in the field and office.

EDUCATION (Degree, Year, Specialization)

Masters of Science, 1999, Environmental Engineering. Bachelor of Science, 1976, Civil Engineering.

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	
Butcher, III, Cecil L.	0 Years	15 Years	2 Years
Brief Explanation of Responsibilities Chief Civil Designer and Permit Technician for NPDES and mine related permits and detailed drawing and design of commercial and mine developments and drainage.			
EDUCATION (Degree, Year, Specialization)			
A.S., 2002, Civil Engineering Technology			
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS			
REGISTRATION (Type, Year, State)			
13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)			
NAME & TITLE (Last, First, Middle Int.)	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Russell, Brady N.	0 Years	6 Years	4 Years
Brief Explanation of Responsibilities Civil Designer and Permit Technician for NPDES and mine related permits and detailed drawing and design of commercial and mine developments and drainage, construction management and inspection, geotechnical investigation.			
EDUCATION (Degree, Year, Specialization)			
B.S., 2004, Civil Engineering			
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS			
REGISTRATION (Type, Year, State) Engineer in Training, Lic#EIT022271 TN Erosion Prevention & Sedimentation Control Level I, TN, Lic#115598-TN07 GA Sedimentation Erosion Control Level II, GA, Lic#00000003428			

14. PROVIDE A LIST OF SOFTWARE AND EQUIPMENT AVAILABLE IN THE PRIMARY OFFICE WHICH WILL BE USED TO COMPLETE AML DESIGN SERVICES

4-Computer CADD stations with AutoCAD 2009, Carlson/Civil Survey 2012 with the mining and hydrology modules, 1- HPT 770 42" max color plotter and other office equipment for general office duties and faxing. High speed internet access and communications. MS Professional Office Suite Pack with Word, Excel, Power Point, Outlook, Etc., Photoshop.

15. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	NATURE OF YOUR FIRM'S RESPONSIBILITY	ESTIMATED CONSTRUCTION COST	PERCENT COMPLETE
Meadows Quarry Quarry Permit Monterville, WV	Meadows Stone and Paving P.O. Box 10 Gassaway, WV 26624	Engineering design, Geology Hydrology and mine permitting	2 - million	80%
Mountain Cap of WV Low Income Housing Weston, WV	Mountain Cap of WV 26 N. Kanawha St. Buckhannon, WV 26201	Engineering site design and permitting on low income housing project	500 - thousand	60%
Collins Quarry Quarry Permit Braxton County	Collins Building & Contracting 3406 Corley-Caress Road Flatwoods, WV 26621	Engineering design, Geology Hydrology and mine permitting	1.5 - million	80%
Chesapeake Energy Well Pad & Pond Design Various Locations in WV and OH	Chesapeake P.O. Box 1300 Jane Lew, WV 26378	Construction inspection and materials testing per construction plans, Environmental compliance, Soil compaction testing by use of proctor method and with the use of portable moisture density gauge	5.5 - million	80%
Ford Store Foundation Construction Inspection Summersville, WV	Mid State Properties, LLC 2040 Sutton Lane Sutton, WV 26601	Soil compaction testing by use of proctor method and with the use of portable moisture density gauge	1.5 - million	40%
Stonegate Subdivision NPDES Modification to existing storm water permit over 3-acers Summersville, WV	Mid State Properties, LLC 2040 Sutton Lane Sutton, WV 26601	Soil compaction testing by use of proctor method and with the use of portable moisture density gauge NPDES modification by use of WVDEP e-permitting system	1.2 - million	60%
Beckley Site - New Store Phase I study Bradley, WV	Mid State Properties, LLC 2040 Sutton Lane Sutton, WV 26601	Phase I environmental site assessment per ASTM-E1527-05	2 - million	5%
TOTAL NUMBER OF PROJECTS: 7			TOTAL ESTIMATED CONSTRUCTION COSTS: \$14,200,000	

17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
Go-Mart New Store Flatwoods, WV	Go-Mart Corporation 915 Riverside Drive Gassaway, WV 26624	1.8 - million	2007	Yes
Go-Mart New Store Elkview, WV	Go-Mart Corporation 915 Riverside Drive Gassaway, WV 26624	1.6 - million	2006	Yes
Go-Mart Drainage Project Milton, WV	Go-Mart Corporation 915 Riverside Drive Gassaway, WV 26624	0.5 - million	2009	Yes
Breakaway New Store Martinsburg, WV	Breakaway Inc 1075 Old Turnpike Road Sutton, WV 26601	1.2 - million	2008	Yes
Triana Energy Well Drilling, Planning & Permitting Nicholas County, WV	Triana Energy 900 Virginia St. E, Suite 400 Charleston, WV 25301	20 - million	2010	Yes
Widen Refuge Power Generation Widen, WV	Heartwood Forrestrand Group 3001 Emerson Avenue Parkersburg, WV 26104	20 - million	2010	No

18. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM HAS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICATE PHASE OF WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE)

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH
Marcellus Gas Exploration Water Reservoir Construction and Testing Towanda, PA	Chesapeake Energy 171 Hillpointe Dr., Ste. 303 Canonsburg, PA 51317	15 - million	2011	Yes	Greenway Engineering 151 Windy Hill Lane Winchester, VA 22602

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Abandoned Mine Lands Program.

20. The foregoing is a statement of facts.

Signature: *Gary A. Cover* Title: OWNER Date: 10/21/11

Printed Name: GARY A. COVER

AML and RELATED PROJECT EXPERIENCE MATRIX		PROJECT EXPERIENCE REQUIREMENTS														PRIMARY STAFF PARTICIPATION/CAPACITY *** M=Management P=Professional						
PROJECT	Exp. Basis Co-Op. Personal	Additional Info. Provided in Section (e)	Abandoned Surface Mine Reclamation	Abandoned Deep Mine Reclamation	Portal/Shaft Closure	Hydrologic/Hydraulic Design/Eval.	Remining Evaluation	Mine/Reuse Fire Abatement	Subsidence Investigation Mitigation	Hazardous Waste Disposal	Project Specifications	Water Quality Evaluation / Mitigation / Replacement	Construction Management	Water Treatment	Equipment/Structure Removal	Stream Restoration	Geotechnical/Stability	Gary Corey P	J.B. Butcher M	James Frazier P	Brady Russel M	
Oneida Coal	P&C		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X				
Brooks Run Mining	C				X			X				X				X	X	X				
Meadows Stone	C				X		X				X	X				X	X	X				
Carson One	C				X		X			X	X	X				X	X	X				
Terry Eagle	P				X			X			X	X				X	X	X				
Furr Trucking	P		X	X	X		X				X	X				X	X	X				
GreenBriar Coal	C				X		X				X	X				X	X	X				
AJ Trussler Stream Relocation	C				X						X	X				X	X	X				
Go Mart New Stores	C				X					X	X	X				X	X	X				
High power Energy	P		X	X	X		X				X	X				X	X	X				
Burnsrun Waterline	C				X						X	X				X	X	X				
Summersville Regional Medical Center Parking Lot Expansion Project / Water Tank Rehabilitation	C				X					X	X	X				X	X	X				
Carter Machinery Regional Service Center	C				X				X		X	X				X	X	X				
Massey Energy (Surface Mining Permits)	C		X		X		X		X		X	X				X	X	X				

* List whether project experience is corporate or personnel based or both.

** Use this area to provide specific sections or pages if needed for reference.

*** List Primary Design personnel and their functional capacity for the projects listed.

**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 AML CONSULTANT CONFIDENTIAL QUALIFICATION QUESTIONNAIRE**

Attachment "B"

PROJECT NAME:

DEP15610
 Norton Highway #1 Project
 Randolph County, West Virginia

DATE:
 October 21, 2011

FEIN:
 52-2365940

1. FIRM NAME:
 Novel Geo-Environmental, LLC

2. HOME OFFICE BUSINESS ADDRESS:

171 Montour Road
 Moon Township, PA 15108

3. FORMER FIRM NAME:

NA

4. HOME OFFICE TELEPHONE:

(412) 722-1970

5. ESTABLISHED:

2002

6a. WV REGISTERED DBE:

YES

6. TYPE OWNERSHIP
 Limited Liability Corporation

7. PRIMARY AML DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. AML DESIGN PERSONNEL EACH OFFICE:

650 MacCorkle Ave., West
 St. Albans, WV 25177
 304-201-5180
 Office Manager: John E. Nottingham, P.E.
 No. AML Design Personnel in St. Albans, WV: 5
 No. AML Design Personnel in Moon Township, PA : 5

8. NAMES OF PRINCIPAL OFFICERS OR MEMBERS OF FIRM:

Amy L. Veltri - President
 John E. Nottingham - Vice President

8a. NAME, TITLE, & TELEPHONE NUMBER - OTHER PRINCIPALS

9. PERSONNEL BY DISCIPLINE (Bold Lettering Indicates Minimum Design Team Members)

3 ADMINISTRATIVE	—	ECOLOGISTS	—	LANDSCAPE ARCHITECTS	—	STRUCTURAL ENGINEERS
— ARCHITECTS	—	ECONOMISTS	—	MECHANICAL ENGINEERS	—	SURVEYORS
— BIOLOGIST	—	ELECTRICAL ENGINEERS	—	MINING ENGINEERS	—	TRAFFIC ENGINEERS
1 CADD OPERATORS	4	ENVIRONMENTALISTS	—	PHOTOGRAMMETRISTS	2	DRILLERS & HELPERS
— CHEMICAL ENGINEERS	—	ESTIMATORS	—	PLANNERS: URBAN/REGIONAL	5	OTHER PERSONNEL
2 CIVIL ENGINEERS	1	GEOLOGISTS	—	SANITARY ENGINEERS	—	
5 CONSTRUCTION INSPECTORS	—	HISTORIANS	3	SOILS ENGINEERS	—	
— DESIGNERS	—	HYDROLOGISTS	—	SPECIFICATION WRITERS	—	26 TOTAL PERSONNEL
— DRAFTSMEN	—					

TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: 3 qualifies them to supervise and perform this type of work.
 *RPEs other than Civil and Mining must provide supporting documentation that qualifies them to

10. HAS THIS JOINT-VENTURE WORKED TOGETHER BEFORE? YES

11. OUTLINE KEY CONSULTANTS/SUB-CONSULTANTS ANTICIPATED TO BE Questionnaire" for each if copy is not on file with AML.

NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE ____ Yes ____ No

12. Is your firm experienced in Abandoned Mine Land Remediation/Mine Reclamation Engineering?

Yes: NGE has completed several Abandoned Mine Lands projects involving the remediation of landslides, including the design of retaining walls. NGE has performed these activities as both the prime and sub-consultant.

B. Is your firm experienced in Soil Analysis?

YES: NGE specializes in Geotechnical Engineering including foundation investigations, subsurface investigations, cut slope design, fill embankment analysis and design, slope stability analysis, landslide analysis and corrective design, mine subsidence investigations, geologic studies, groundwater seepage analysis, foundation design, retaining wall design, pavement design, subsurface drilling and monitoring well installation. NGE has performed a total of several hundred geotechnical engineering related projects since the company was formed in 2002.

C. Is your firm experienced in hydrology and hydraulics?

NO: While our firm has not performed any hydrology/hydraulics projects to date, our personnel have experience with former employers.

D. Does your firm produce its own Aerial Photography and Develop Contour Mapping?

NO

E. Is your firm experienced in domestic waterline design? (Include any experience your firm has in evaluation of aquifer degradation as a result of mining.)

NO

F. Is your firm experienced in Acid Mine Drainage Evaluation and Abatement Design?

NO

RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete

AND ASSOCIATES

PRINCIPALS

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)

YEARS OF AML DESIGN EXPERIENCE: 15

YEARS OF AML RELATED DESIGN EXPERIENCE: 7

YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0

Nottingham, John, E.
Principal Engineer, Vice President

Brief Explanation of Responsibilities

Mr. Nottingham was responsible for supervising field and design work for numerous AML related landslide abatement projects for the WVDEP while under the employment of Triad Engineering, Inc. In addition to landslide abatement projects, Mr. Nottingham was involved in subsidence determination investigations and subsidence abatement projects. Mr. Nottingham worked extensively on "emergency" projects which required quick field investigations and corrective designs.

EDUCATION (Degree, Year, Specialization)
Bachelor of Science in Civil Engineering, 1987, WVU, Specialization - Civil and Geotechnical Engineering
Masters of Science in Civil Engineering, 1995, WVU, Specialization - Geotechnical Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS
American Society of Civil Engineering (ASCE)
West Virginia Chapter of AIA

REGISTRATION (Type, Year, State)
Professional Engineering, 1994, WV
Professional Engineering, 2007, VA
Professional Surveyor, 1996, WV

FURNISH COMPLETE DATA

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)

YEARS OF AML DESIGN EXPERIENCE: 13

YEARS OF AML RELATED DESIGN EXPERIENCE: 7

YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0

Montgomery, Charles, E.
Project Manager

Brief Explanation of Responsibilities

Mr. Montgomery was responsible for coordinating field activities for AML landslide abatement projects for the WVDEP while employed with Triad Engineering, Inc. Mr. Montgomery has also participated in all project phases for other AML work involving subsidence determinations/abatement and impounded mine pools.

EDUCATION (Degree, Year, Specialization)

Bachelor of Science, Geology, 1991, Marshall University

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS
Association of Engineering Geologists
Geological Society of America

REGISTRATION (Type, Year, State)
Professional Geologist, 1999, Kentucky

RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.) Nottingham, Larry C. Senior Engineer	YEARS OF AML DESIGN EXPERIENCE: 18	YEARS OF AML RELATED DESIGN EXPERIENCE: 8	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0
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Brief Explanation of Responsibilities

Dr. Nottingham planned and supervised several AML investigation and reclamation projects for WVDEP while employed by Triad Engineering. Projects included burning refuse pile investigations, unstable refuse pile investigations and remedial designs, landslide investigations and remedial designs, subsidence investigations, and underground mine fire investigations.

EDUCATION (Degree, Year, Specialization)
 Bachelor of Science in Civil Engineering, 1965, Civil Engineering, West Virginia Institute of Technology
 Master of Science in Civil Engineering, 1966, Geotechnical Engineering, University of Pittsburgh
 Doctor of Philosophy, 1975, Geotechnical Engineering, University of Florida

REGISTRATION (Type, Year, State)
 Professional Engineer, 1969, WV
 Professional Engineer, 1985, KY
 Professional Engineer, 1985, OH
 Professional Engineer, 2006, PA

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS
 Member, American Society of Civil Engineers
 Member, National Society of Professional Engineers

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR AML PROJECT DESIGN (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.) Christopher Dunlap Engineering Technician	YEARS OF AML DESIGN EXPERIENCE: 0	YEARS OF AML RELATED DESIGN EXPERIENCE: 0	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 0
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Brief Explanation of Responsibilities

Mr. Dunlap has served as an engineering technician/field inspector on numerous government and commercial construction projects. His duties on these projects have included quality assurance/quality control (QA/QC), construction oversight and testing, coordination of field activities, liaison between general contractor and engineer, and project reporting.

EDUCATION (Degree, Year, Specialization): A.S., Mechanical Engineering Technology, WVUIT; American Concrete Institute (ACI) Certified; WVDOT Certification for Fill Compaction Technician; WVDOT Certification for Concrete Technician; WVDOT Certification for Asphalt Inspector.

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS: NA

REGISTRATION (Type, Year, State): NA

14. PROVIDE A LIST OF SOFTWARE AND EQUIPMENT AVAILABLE IN THE PRIMARY OFFICE WHICH WILL BE USED TO COMPLETE AML DESIGN SERVICES

Three rotary drill rigs, one mounted on a four wheel drive one-ton truck, and two track-mounted rigs. Drills are equipped with hollow stem augers, split-spoon soil sampling equipment, and rock coring tools.
Portable dynamic cone penetrometer.

Electric concrete coring drill.

Two equipment hauling trailers.

Software includes: Word processing, PCSTABL - Slope Stability Analysis, LPILE Plus 4.0 - Pile Foundation Analysis, PYWALL 2.0 - Retaining Wall Analysis, RESSA 2.0 - Reinforced Soil Slope Analysis, Reslope 3.0 - Reinforced Soil Slope Design

Soil Laboratory Equipment: Soil Oven, Scales, Sieves, Liquid and Plastic Limits Machine

15. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	NATURE OF YOUR FIRM'S RESPONSIBILITY	ESTIMATED CONSTRUCTION COST	PERCENT COMPLETE
Bane Lane Landslide Marshall County, West Virginia	Thrasher Engineering Charleston, WV	Perform subsurface investigation, develop design for retaining wall construction.	\$250,000	0
Adams Hill Road Landslide Marshall County, West Virginia	Thrasher Engineering Charleston, WV	Perform subsurface investigation, develop design for retaining wall construction	\$200,000	0
Baisden (Jeffrey) Landslide Logan County, West Virginia	WVDEP Charleston, WV	Perform subsurface investigation, develop design for retaining wall construction	\$150,000	0
Ed Stike Retaining Wall Charleston, West Virginia	Ed Stike Charleston, WV	Perform subsurface investigation, develop design for retaining wall construction	\$50,000	0
TOTAL NUMBER OF PROJECTS: 4			TOTAL ESTIMATED CONSTRUCTION COSTS: \$ Unknown	

16. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS SERVING AS A SUB-CONSULTANT TO OTHERS

PROJECT NAME, TYPE AND LOCATION	NATURE OF FIRMS RESPONSIBILITY	NAME AND ADDRESS OF OWNER	ESTIMATED COMPLETION DATE	ESTIMATED CONSTRUCTION COST	
				ENTIRE PROJECT	YOUR FIRMS RESPONSIBILITY
Lilly Bridge Replacement Geotechnical Investigation Summers County, WV	Perform subsurface investigation, provide foundation design recommendations.	West Virginia Dept. of Highways, Charleston, WV	Unknown	Unknown	Fee \$43,000
Midway Plaza Bridge Bridge, CSL Testing Logan County, WV	Perform Cross-Hole Sonic Logging of New Foundation Drilled Piers	West Virginia Dept. of Highways, Charleston, WV	October, 2011	Unknown	Fee \$4,500
Elkhorn Water Tank Subsurface Investigation McDowell County, WV	Perform subsurface investigation, provide foundation design recommendations	E.I. Robinson Engineering Beckley, WV	October, 2011	Unknown	Fee \$6,000
New River Parkway Geotechnical Investigation Summers and Raleigh Counties, WV	Perform subsurface investigation, provide roadway and bridge foundation design recommendations.	West Virginia Dept. of Highways, Charleston, WV	Unknown	Unknown	Fee \$150,000
Phillippi Transit Building Geotechnical Investigation, Phillippi, WV	Perform subsurface investigation, provide foundation design recommendations	Burgess & Niple Charleston, WV	October, 2011	Unknown	Fee \$6,000
Rainelle Cell Tower Site, Foundation Investigation Rainelle, WV	Perform subsurface investigation, provide foundation design recommendations.	NTelos Charleston, WV	September, 2011	Unknown	Fee \$3,000
WVDOH District 7 HQ Foundation Investigation Lewis County, WV	Perform subsurface investigation, provide foundation design recommendations.	WVDOH Charleston, WV	October, 2011	Unknown	Fee \$7,000

17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
Hinton Housing Development Retaining Wall Design Hinton, WV	J. Dan Sneed & Associates 3049 Robert C. Byrd Dr., Suite 200, Beckley, WV 25801	\$50,000	2007	Yes
Mancuso Access Road Roadway Design Glen Lyn, Virginia	Jerry Mancuso Route 1 Box 163 Lindside, WV 24951	\$10,000	2007	No
Flatwoods Retaining Wall - Pile retaining wall design Flatwoods, WV	Go-Mart, Inc.	\$1,300,000	2010	Yes
Pennsboro Retaining Wall - Retaining wall design Pennsboro, WV	Mead & Hunt Charleston, WV	\$75,000	2010	Yes

18. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM HAS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICATE PHASE OF WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE)

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH
S. Mineral Wells Interchange, Geotechnical Study, Mineral Wells, WV	WV Department of Highways Charleston, WV	\$5,000,000	2007	In Process	L. A. Gates Co.
Scary Creek Bridge Replacement Geotechnical Investigation St. Albans, WV	WV Department of Highways Charleston, WV	\$2,000,000	2009	No	HNTB Corporation
Performing Arts Center. Geotechnical Investigation, Buckhannon, WV	West Virginia Wesleyan College, Buckhannon, WV	\$500,000	2007	Yes	R. D. Zande & Associates, Inc.
Fishers Ford Bridge Geotechnical Investigation Morgan County, WV	WV Department of Highways Charleston, WV	\$2,000,000	2009	No	Qk4
Water Tanks, Geotechnical Investigation, Iaeger, WV	Iager PSD Iager, WV	\$100,000	2006	Yes	Stafford Consultants
Leon Thru Girder Bridge Geotechnical Investigation Leon, WV	WV Department of Highways Charleston, WV	\$2,500,000	2009	NO	Buchart Horn, Inc.

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Abandoned Mine Lands Program.

20. The foregoing is a statement of facts.

Signature: John E. Nottingham Title: Vice President
 Printed Name: John E. Nottingham

Date: October 21, 2011

NOTE: THIS DOCUMENT WILL BECOME VOID AFTER DECEMBER 31 IN CALENDAR YEAR OF DATE HEREON.

P.O. Box 185
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Sutton, WV 26601

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Fax: (304) 750-2204



www.coveyengineering.com
gacovey@wvdsi.net

GUARANTEE

Our staff will always listen and discuss all aspects of a project to understand goals and objective in order to provide the highest quality service that will empower completion of all projects with speed and accuracy while staying consistent with the budget

Our goal is to establish more than a relationship with every client but a friendship based on trust and commitment.

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RESUME OF MAJOR PROJECTS

Southern Appalachian Labor School - Fayette County

Engineering site design and construction management on low income housing, NPDES, WVDEP and WV DOH permits, Army Corp of Engineers permits and Wetland delineations.

Mountain Cap of WV Low Income Housing - Weston, WV

Engineering site design and permitting on low income housing project, all surveying, road and drainage design with required NPDES, WVDEP and WV DOH permits.

Carson One Mining - Adrian, WV

Engineering design, mine planning and permitting, WVDEP drainage, refuse design and certifications.

Plaza Management, Inc. (Bill Abrazzino) - Lake Mary, FL

Surveying and mall design - Fayette Square, Raleigh, Elkins and Elkview Drainage design and NPDES permit. Geotechnical drilling and reports. Building and parking lot layout and design.

Go-Mart, Inc. - Weston, Princeton, Lewisburg, Fairmont, Elkview and Williamstown

All surveying, permitting, inspection required for the stores and site design required for all stores. NPDES permits, WV DOH permits, Army Corp Engineers Permits, Wetland delineation, Geotechnical drilling and site assessment.

Chesapeake Energy and Grenadier Energy Corp

Design, permitting and construction inspections of +20 ac foot water reservoirs for well drilling operations. Permits include: NPDES, Army Corp of Engineers, EPA and WVDEP. Wetland delineations and wetland relocation design. Also included geotechnical drilling and reports for design and construction. Locations in OH, PA and WV.

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SPECIAL RECLAMATION JOB CLAY COUNTY WV



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GACOVEY ENGINEERING

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G/A COVEY ENGINEERING

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CIVIL, ENVIRONMENTAL, & MINING ENGINEERING – CONSTRUCTION & PROPERTY SURVEYING – PLANNING, DESIGN & PERMITTING
WETLANDS DELINEATION – CONCRETE & COMPACTION TESTING – WATER & SEWER LINE DESIGN & PERMITTING
WATER TESTING & TREATMENT – ENVIRONMENTAL SERVICES – OIL FIELD SERVICES

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LYNCH RUN AML PROJECT



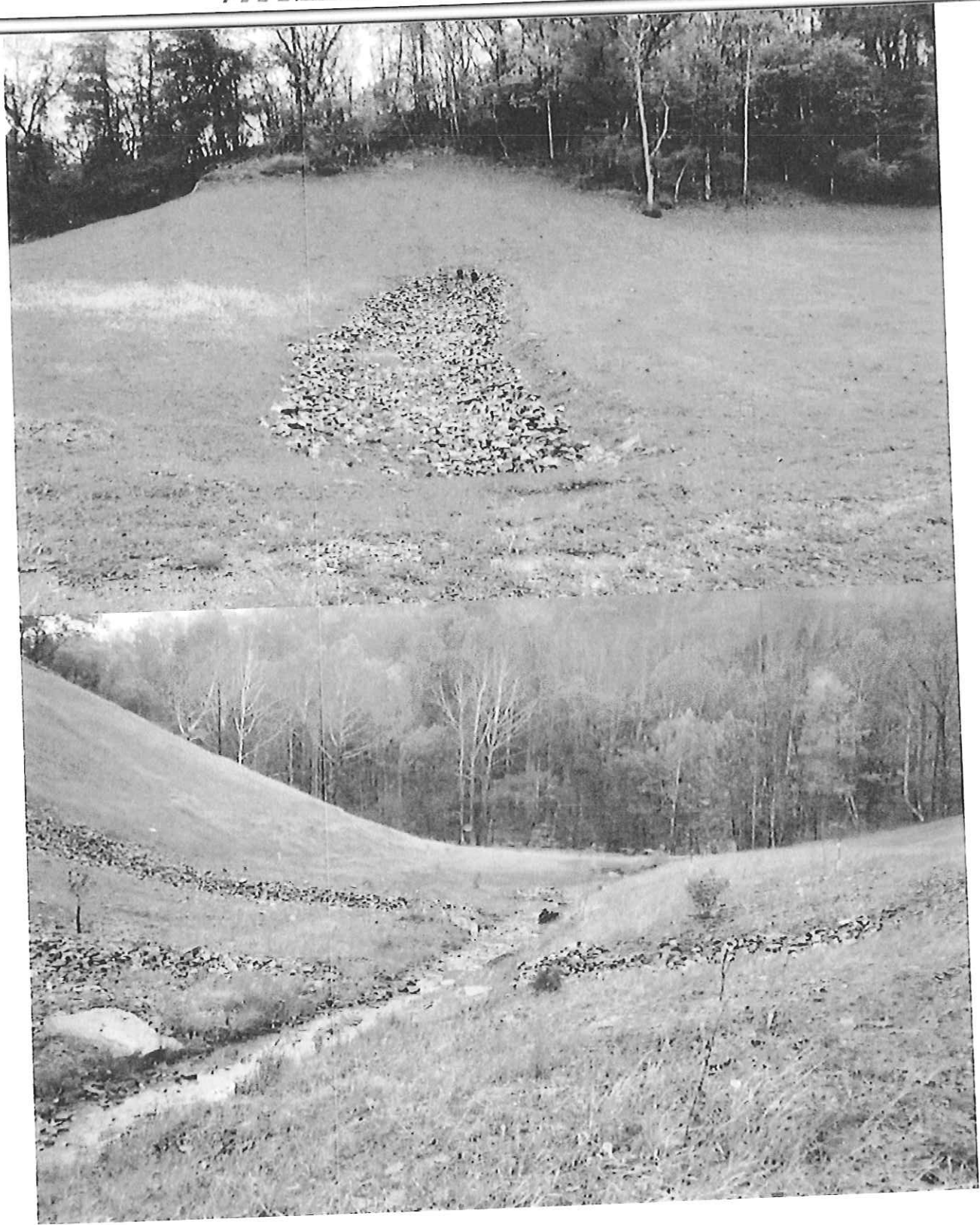
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Curriculum Vitae

Gary A. Covey, RPE, PLS

P.O. Box 185
Sutton, WV 26601

Phone: 304-750-2203
Fax: 304-750-2204

Registered Professional Engineer and Land Surveyor

Summary of Qualifications:

- Registered Professional Civil Engineer with proven experience in civil, mining, and environmental engineering.
- Knowledgeable in all phases of construction site design, soils analysis, drainage design, slope stability analysis, "mine, oil, natural gas, and highway permitting", construction inspection and management, sewer and waterline design and permitting, and wetlands and stream analysis and mitigations.
- Ability to provide practical and innovative solutions to site design and permitting problems in the mining and construction industries.
- Seasoned project design and management skills in planning, supervision, budgeting, construction estimating and report preparations.
- Adept at communications and regulatory liaison activities for project resolutions and remediation.
- License Professional Surveyor involved with construction activities as well as private properties and boundary disputes.
- Licensed Professional Engineer in West Virginia, and Ohio.

Technical Expertise:

- Civil Engineering design planning permitting and storm water design and permitting in the highway and commercial development industries.
- Mining engineering planning design and permitting for underground and surface mining operations throughout West Virginia since 1977.
- Planning and managing exploration programs for coal, gas, and aggregates.
- Project Design for Highways Mining, an Commercial Developments.
- Construction Management and Quality Control Testing on Major Highways, Commercial Developments, Bridges, and Waterline Construction.
- Construction Estimates and Bidding in the Construction Industries.
- Wetlands Studies and construction remediation.
- Stream Relocation and remediation.
- Water Collection and Acid Mine water treatment design and monitoring on Mining Sites.
- Mine Reserve analysis and studies for coal acquisitions and developments.
- Interpretation and clarification of Federal and State mining and environmental regulations.
- Professional Land Surveyor involved with construction surveying and layout.
- Boundary surveying and property line disputes.

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Gary A. Covey, RPE, PLS

Technical Expertise Continue:

- Resolving boundary issues between land owners.
- Aerial mapping coordination and acquisition.
- GPS surveying and control.
- Hydrological analysis and drainage design on construction and mining projects
- Drainage and structural fill construction certification for State and Federal Requirements.

Career Progression:

- **G. A. Covey Engineering, PLLC** 1991- Present
Gassaway, WV
Position: Owner Operator, Professional Engineer and Land Surveyor. Civil and Mining Engineering, surveying and permitting throughout West Virginia.
- **Oneida Coal Company** 1988-1991
Position: Chief Engineer, Mine planning and permitting, reserve studies and coal analysis for mining activities.
- **Monongahela Power Company** 1985-1988
Position: Engineering Technician, Transmission and distribution electrical line design, inspection, planning, construction estimation and budgeting.
- **Brackenrich and Associates:** 1977-1985
Position: Engineering Technician preparing mine and oil and gas permits throughout West Virginia.

EDUCATION:

Bachelor of Science Degree Civil Engineering West Virginia University

Army Corp. of Engineers Wetlands Delineation and Management Program Certification

West Virginia Department of Highway Certified Soils, Asphalt, Aggregate and Concrete Technician for material control and testing on highway projects in WV

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James A. (AL) Frazier

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Robson, WV 25173
Phone: 304-779-2033
jafrazier3@aol.com

Education

Master of Science, Environmental Engineering, 1999
Bachelor of Science, Civil Engineering, 1976

Experience

G.A. Covey Engineering	Civil Engineer/Construction Inspector	2011 to present
Global Contact Services	Insurance sales	2008 to 2011
Sears	Direct outside sales	2006 to 2008
Craftmatic of Pittsburgh	Direct outside sales	2005 to 2006
John Eagle Acura	Car sales	2002 to 2003
PrimAmerica	Outside sales	2001 to 2002
Thompson Professional Group	Project Director	1999 to 2001
Turner, Collie & Braden, Inc	Project Engineer – East water plant	1995 to 1999
Espey, Huston and Associates, Inc	Engineering Manager/Project Manager	1989 to 1995
G.A. Tice, Inc.	Senior Project Engineer	1987 to 1989
Barrett, Haentjens and Company	Sales Engineer	1985 to 1987
Gates Engineering Company	Project Engineer	1980 to 1985
Envirotech –Coal Services Division	Project Engineer	1978 to 1980
Dunn Engineers, Inc.	Water and Wastewater Facility Eng.	1976 to 1978

Engineering experience includes almost 25-years with three of the largest engineering firms in the United States. I have also worked for a large Fortune 100 Construction firm. I have held several senior management positions and have been directly involved in marketing, engineering sales, and contract negotiations with construction companies, industries and municipalities. Additional experience includes plant operations trouble shooting.

Civil Engineering/Sales

- Direct outside sales
- Inspection of Design and Construction Projects
- Design and Construction of Water and Wastewater Treatment Plants
- Project Specification / Contract Development
- Highway / Haulroad Design
- Concrete Foundation Design
- Working With geographic information systems / Topographical Maps / Raster Image Underlays in AutoCAD
- Aspects of Surface Mine Permitting
(drainage, valley fills, prospect permits, inactive status permits, regrade, subsidence, highwall miner hole layout and calculations)
- Underground Mine Mapping / Takeup Mapping / Elevation and Control Loop Survey Check / End of Month Total

References

Provided upon request

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Cecil L. Butcher III

15 Stonegate Drive (304) 872-5811
Summersville, WV 26651
JB.BUTCHER@YAHOO.COM
<http://jbbutcher.weebly.com>

Objective: To obtain a position with a company/firm in which my knowledge and skills may be optimally utilized

Education: 1992 – 1996 Clay Co. High School Diploma
1996 – 2002 WVU Institute of Technology A. S. Civil Engineering Technology
Additional Education Relating to Civil Engineering and Drafting

Experience 1997 – May 2001 (Intern) / May 2001 – September 2009 Britton Engineering, Inc.
February 2010 – Present G.A. Covey Engineering

Civil Engineering Technician / Surveying

- Building Design / Site Design / Construction Projects / Site and Grade Stakeout
- Inspection of Design and Construction Projects
- Quantity / Cost Estimates
- Project Specification / Contract Development
- Highway / Haulroad Design
- Concrete Foundation Design
- Subdivision Design
- Mine Mapping (Surface and Underground)
- Working With geographic information systems / Topographical Maps / Raster Image Underlays in AutoCAD
- Various Aspects of Surface Mine Permitting
(i.e. prospect permits, inactive status permits, valley fills, drainage, regrade, subsidence, highwall miner hole layout and calculations, etc.)
- Survey Transitman/ Rodman (Site Grading, Cut and Fill, Building and Foundation Corner Stakeout)
- Courthouse Research and Deed Plotting
- Underground Mine Mapping / Takeup Mapping / Elevation and Control Loop Survey Check / End of Month Totals
- Grant Applications for Funding Through the West Virginia Department of Transportation / Federal ARRA Grant Applications

Computers - Maintenance / Networking / Web Design

- Maintaining Hardware, Software, Windows Network, and Netbuoy Office Network for Windows XP Professional, Windows 7 OS Computers, and a Windows Server 2003 OS Server.
- Simple web page design with Microsoft Publisher / Ftp site creation

Cecil L. Butcher III

Page 2

Design Software Proficiency

- Auto CAD 2010
- Eagle Point Civil / Survey Software
- Carlson 2012 Civil / Survey / Hydrology Modules
- Microsoft Office 2007 Suite
- Photoshop
- WVDEP E-Permitting
- NIOSH Pillar Design & Spacing Software
- FileZilla FTP software

Projects

Wyoming Co. Workshop

Dust Collection and HVAC Project

Design drawings, specifications, contract documents / inspections, communication with owner and contractor

Parking Lot Improvement Project

Design drawings, specifications, contract documents / site surveys, construction stakeout, inspections, and communication with owner and contractor / drainage, grading, and paving of existing lot and expansion area

Summersville Memorial Hospital

Water Tank Rehabilitation Project

Design drawings, specifications, contract documents / communication with owner and contractor / asbestos removal, replacement of piping and boiler / application of interior / exterior paint system for 100,000 gal. pedestal water tank

Parking Lot Addition / Access Road / Helipad

Design drawings, specifications, contract documents / site surveys and construction stakeout, inspections / designed 110 space parking lot and access roads expansion requiring 29,000 yards of control fill placement, electrical service, lighting and construction of new helipad / communication with owner and contractor, West Virginia Department of Transportation, and Federal Aviation Administration

Fenwick Mountain P.S.D.

Water Tank Rehabilitation Project

Design drawings, specifications, contract documents / communication with owner and contractor / lead paint removal and disposal / application of interior and exterior paint system for 20,000 and 50,000 gal. tanks

Carter Machinery Company, Inc.

Regional Service Center

Site design drawings, architectural and foundation drawings / conceptual renderings of a completed project / site surveys and construction stakeout / inspections, and communication with owner and contractor for a 29,000 sq. ft. office / service bay area, and warehouse facility. Aspects of design of a 3,800 ft. sanitary sewer extension, 1,000 ft. water line extension / coordinated power line relocation with AEP

Cecil L. Butcher III

Page 3

Cascade Passing Lane

Establish Centerline for realignment of existing road and construction of new uphill passing lane for a one mile section of road that included design, cut / fill balance calculations, profiles, cross sections, road section details, box culvert bridge, and rock cut through / quantity and cost estimates per the WV DOT cost and quantity items list

Wyoming County Economic Development Authority

Hon. John D. Rockefeller IV Industrial Park

Designed foundation drawings, specifications, contract documents / communication with owner and contractor for the purchase and installation of two 11,250 sq. ft. shell buildings / prepared design, bid documents and contract documents for interior completion of these buildings / Including electrical design, concrete floor, plumbing and machine doors for facilities

Webster County Economic Development Authority

Bakers Island Recreation Area Master Plan

Site design and drawings, measurements, cost and quantity estimates, conceptual renderings of a completed project for improvements to the Baker's Island Recreation Area. This master plan includes the layout and design for a proposed welcome center to Baker's Island, removal and replacement of the aged wood chopping pavilion with a new steel structure that is ADA compliant, a performance stage, new picnic pavilion, additional parking, landscaping plan, drainage plan, new vendor layout for festivals, and upgrading walking trail. This master plan also includes upgrades to the ball field that include the replacement of fencing, field drainage, new dugouts, and moving existing lighting back to meet WVSSAC and Little League Standards. The plan also incorporates a new camping area that is to be established around the Historic Railroad Depot.

WV Recreational Trails Application / ARRA Application

Site design and drawings / measurements, cost and quantity estimates / conceptual renderings of a completed project for improvements to the 0.62 mile ADA compliant walking trail that encompasses Baker's Island

Transportation Enhancement Application / ARRA Application

Site design and drawings / cost and quantity estimates / conceptual renderings of a completed project for an ADA Compliant welcome center and new wood chopping pavilion / picnic area for Bakers Island

Town of Marlinton

Sidewalk Project

Evaluation of existing sidewalks / design drawings, specifications, contract documents / communication with owner and contractor / inspection of 11,850 feet of new and rehabilitated ADA compliant sidewalks

Nicholas County Board of Education

Nicholas County Schools

Assess facilities of each school in the county / mark up floor plans to show entry and exit points to the buildings, room numbers, location of power shutoffs, fire alarm panels, fire extinguishers, fire hydrants and standpipes, and interior / exterior gas and water shut off valves / develop updated color coded floor plans / convert AutoCAD files to PDF Format that can be easily accessed by 911 and emergency services personnel in case of an emergency situation

P.O. Box 185
106 West Main St.
Sutton, WV 26601

Phone: (304) 750-2203
Fax: (304) 750-2204



www.coveyengineering.com
gacovey@wvdsi.net

Brady N. Russell, E.I.T.

490 Pythian St.
Morgantown, WV 26505

Tel: (615) 934-0239
E-mail: brady.russell@gmail.com

Employment: G.A. Covey Engineering, PLLC

2010 – Present

- Position:** Inspector/Design Engineer
- Duties:**
- Freshwater Impoundment Design and Permitting
 - > Developed construction plans for large scale freshwater impoundments for the natural gas extraction process; including the grading, drainage and erosion and sediment controls
 - > Worked with USACE and WVDEP during the location, permitting and design process
 - Stream Crossing Design and Permitting
 - > Designed stream crossing solutions for a commercial business expansion and development
 - > Worked with WVDEP to obtain permits for minimum impact stream crossing solutions
 - Commercial Development Design and Permitting
 - > Assisted with the design and permitting for a commercial building expansion for the foundation, parking lots, grading and drainage, and rerouting existing utilities
 - Construction Inspection
 - > Acted as supervisor over a team of construction inspectors for freshwater impoundment construction. Dealt directly with the clients representatives to ensure proper construction methods were being followed and to the design specifications
 - > Conducted soils compaction testing using the nuclear density meter to determine that the compaction of the impoundment embankments were meeting design specifications
 - > Performed erosion and sediment control inspections for well pads and water impoundments to insure that they were in place and functioning correctly
 - > Submitted detailed daily reports covering the construction work observed, soils testing results, and erosion and sediment control inspections for the construction of freshwater impoundments. Reports were submitted digitally daily for review of the project design engineer and the client

Littlejohn Engineering Associates

2007 – 2008

- Position:** Civil Engineer
- Duties:**
- Military Residential Subdivision Design
 - > Multi-phase design and development of construction plans of hotel parking lots, utility infrastructure, grading and drainage, stormwater management, and erosion control measures
 - > Worked with NCDENR and TDEC obtaining erosion control, stormwater, sewer, and water permits for the various projects designed by our team
 - > Pre-Design site due diligence of existing residential subdivisions with recommendations for infrastructure replacement and new design

Brady N. Russell, E.I.T.

2

Stormwater Management Design

- > Design of wet detention ponds, level spreaders, temporary sediment basins, water quality structures, and various other stormwater management measures

GSI Utility Mapping

- > Use of GIS equipment and software to locate and map the water and sewer systems for Holloman AFB in New Mexico and Davis-Monthan AFB in Arizona
- > The lead engineer in the development of an operation and maintenance manual for the above stated Air Force bases infrastructure giving a detailed layout, condition and methods of maintaining a working water and sewer system during phased construction and at final build out

Gaskins Surveying and Engineering Co.

2004 – 2007

Position: Civil Engineer

Duties:

Residential Subdivision Design

- > Multi-phase design and development of construction plans of roadways, utility infrastructure, grading and drainage, stormwater management, and erosion controls BMP's
- > Design of the Paulding County regional sanitary sewer outfall. The sewer line was designed to handle 25 MGD of wastewater being conveyed over 12,000 ft through 66" diameter ductible iron pipe
- > Assisted in writing the specifications for proper construction techniques and materials to be used for the construction of the regional sewer line

Sanitary Sewer Lift Station Design

- > Design of several large residential subdivision lift stations in and around the Atlanta, GA area
- > Design of regional quadruplex sanitary sewer lift station for Paulding County to handle the 24 MGD of wastewater from the regional outfall
- > Assisted in writing the specifications for proper construction techniques, schedules, and materials to be used for the regional lift station

Erosion Control Inspection

- > On site erosion control evaluation insuring that erosion control measures were constructed as specified by design drawings
- > Made recommendations to contractors/clients in detailed reports of poorly constructed or maintained erosion control measures. Also, made recommendations for additional erosion control measures if areas of the site that needed erosion control measures were not noted on construction plans

Triad Engineering

Summer 2002

Position: Field/Lab Technician

Duties:

Concrete, Soil, and Asphalt Testing

- > Performed slump and air test of concrete to insure proper amount of moisture and air was added as per specification. Cylinder samples were prepared for the lab to conduct compression test
- > Performed soil compaction test in lab using the modified proctor test and also on site using the Troxler nuclear density gauge

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3

- > Performed electric conductivity tests on soils in the Thomas, WV area for the Mountaineer Wind Plant where 44 wind turbines were constructed
- > Assisted the drilling crew by taking core samples of soil on site at different boring locations to determine the different soil depths and depth to bedrock. Also, bedrock core samples were taken and used in compaction test to determine the strength of the underlying bedrock
- > Assisted with taking core samples from slabs of asphalt from WVDOH projects to conduct compression tests in lab to insure asphalt strength as per specification

Education:

Iowa Sate University
Bachelor of Science in Civil Engineering

Ames, IA
2004

Guy Covey

Construction Inspection Supervisor

Construction Inspection Supervision for all types of foundation, earthwork, highway and commercial structures. I have extensive experience conducting lab soils analysis, soils compaction, concrete testing, aggregate compaction and lab analysis, and technical report writing. I am proficient in reading understanding and implementing the engineers design for the specified project, and ensuring the contractor is building the project to the designers and clients specifications. I am proficient in the use of Microsoft Word and Excel to create an understandable daily reporting system to meet the applicable projects needs. I have years of experience in the supervisor position, working very close with the inspectors under me to insure that they are trained properly, have a full understanding of the project they are inspecting, and have all of the tools they need to do their job correctly, professionally, and effectively. **Skills include:**

- 5 yrs as a WV State Certified Compaction Inspector
- 6 yrs as a WV State Certified Concrete Inspector
- 6 yrs as an ACI National Certified Concrete Testing Technician
- 2 yrs in an Inspector Supervisor Position
- Creating Project Specific Forms and Reports
- Using Database-Backed Online Computer Reporting
- Training and Guidance of Construction Inspectors.

Experience

G.A. COVEY ENGINEERING, Sutton, WV
Construction Inspection Supervisor

5/2009 – Present

Managing a team of construction inspectors on various commercial, highway, and gas field construction projects. Directed, monitored, supervised, scheduled, and trained a large team of inspectors to monitor the construction of large scale Fresh Water Impoundments for the gas extraction industry in state and out of state locations. Working with clients, engineering firms, and the environmental agencies to insure that the design and specifications were being followed and erosion and sediment implements were installed and functioning as designed.

- Supervised the construction inspections of 50+ Fresh Water Impoundments for the natural gas extraction industry.
- Managed 14+ construction inspectors; including the training in use of soils testing equipment, training in field reporting using computer word and excel reports (for the luxury of immediate next day review for the client and design engineer), monitoring all ongoing projects and conducting report reviews, and assisting the inspectors and contractors on in the field solutions for small issues on the job sites to continue the projects in a timely and efficient manner.
- Created an internet reporting and filing platform that can be accessible to the client and design engineer for next day review to monitor site progress and identify and correct any issues as they arise.
- Conducted the aggregate and concrete testing for a new section of heavy highway along Corridor-H.
- Testing for compaction and concrete conformance on multiple DOH bridge, roadway, and sewer projects.
- Performed lab soils analysis', lab soils proctors, aggregate gradations, concrete strength testing, geotechnical boring analysis', and permeability testing.

Guy Covey

page 2

CTL Engineering, Morgantown, WV
Field/Lab Engineering Technician

5/2005 – 5/2009

Performed as a field and lab engineering technician; conducting concrete testing, concrete cylinder strength testing, soils compaction testing, aggregate compaction testing and gradations, materials sampling, lab soils analysis, lab soils proctors, core borings, rebar inspections, and permeability testing. Conducted water, sewer, and storm line construction inspections as a third party for the Morgantown Utility Board.

- On-site Inspection of construction for upgrades to the water, sewer, and storm systems in the greater Morgantown area. Reporting directly to the design engineer and helping to provide solutions for construction issues that arose.
- Conducted soils and concrete testing, and rebar inspection on numerous commercial, highway, bridge, power plant, school, and residential building projects.
- Oversaw the caisson drilling and construction for a multi-million dollar AAA High Schools foundation. Ensuring proper rock socket depth, caisson diameter, rebar and concrete placement, proper top elevation and fully documented drill logs.
- Conducted concrete testing and rebar inspections for the construction of a slip formed 550ft scrubber stack upgrade at Ft. Martin Power Plant.
- Performed inspections of numerous soil slip repair projects, ensuring proper excavation of and placement of toe keys and slope repair.

U.S. Army
Infantryman/ NCO

7/2000 – 8/2004

Combat Veteran, serving as a Infantryman in the 10th Mountain Division. Served as a Non Commissioned Officer, team leader, machine gunner, rifleman, radio operator.

- Served in Operation Enduring Freedom from 2003-2004 as a team leader, machine gunner, and radio operator. Conducted combat operations in Afghanistan.
- Served in Operation Joint Guardian - KFOR from 2001-2002 as the task force Tactical Action Center radio operator. Conducted tactical peace keeping operations in Kosovo.
- Earned the Combat Infantry Badge, Expert Infantry Badge, and Parachutists Badge along with numerous other citations.

Education & Training

WEST VIRGINIA UNIVERSITY, Morgantown, WV
Civil Engineering – degree not completed

9/2004 – 5/2009

WVDOH Compaction Inspector Certification (2006)
WVDOH Concrete Inspector Certification (2005)
WVDOH Aggregate Sampler Certification (2006)
American Concrete Institute (ACI) Concrete Field Testing Technician - Grade I (2005)